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**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

THOMAS ROGER WHITE, JR. and
PATRICIA CAULEY on behalf of
themselves and all others similarly
situated,

Plaintiffs,

v.

SAMSUNG ELECTRONICS
AMERICA, INC. and SONY
ELECTRONICS INC.,

Defendants.

Civil Action No. 17-1775 (MCA) (SCM)

Return Date: October 7, 2019

(Oral Argument Requested)

Document Electronically Filed

**NOTICE OF MOTION
FOR RECONSIDERATION OF
AUGUST 21, 2019 ORDER,
OR, IN THE ALTERNATIVE, FOR
CERTIFICATION FOR
IMMEDIATE APPEAL PURSUANT
TO 28 U.S.C. § 1292(b)**

PLEASE TAKE NOTICE that on October 7, 2019, or at such other date and time as may be set by the Court, Defendant Samsung Electronics America, Inc. (“Samsung”), by and through its undersigned attorneys, shall move pursuant to Local Civil Rule 7.1(i) for an Order granting Samsung’s motion for reconsideration of the portion of the Court’s August 21, 2019 Order denying Samsung’s motion to dismiss Plaintiffs’ Wiretap Act claim (Fourth Claim for Relief) in the Second Amended Complaint, or, in the alternative, for an Order certifying the Court’s August 21, 2019 Order (as to Plaintiffs’ Wiretap Act claim) as final for purposes of immediate appeal, in accordance with 28 U.S.C. § 1292(b).

PLEASE TAKE FURTHER NOTICE that in support of this Motion, Defendant will rely on the accompanying Brief In Support Of Motion For Reconsideration, Or, In The Alternative, Motion To Certify The August 21, 2019 Order As Final For Purposes Of Immediate Appeal, and all pleadings and proceedings on file.

PLEASE TAKE FURTHER NOTICE that a Proposed Form of Order is being submitted herewith.

PLEASE TAKE FURTHER NOTICE that Defendant hereby requests oral argument.

Dated: September 4, 2019

Respectfully submitted,

By: s/ Michael R. McDonald
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